

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

MONTE DECARLOS WINSTON,

Petitioner,

v.

Civil Action No. 3:12CV172

UNITED STATES ATTORNEY GENERAL,

Respondent.

FINAL ORDER

In accordance with the accompanying Memorandum Opinion, it is hereby ordered that:

1. Winston's objections are overruled;
2. The Report and Recommendation is accepted and adopted;
3. Winston's 28 U.S.C. § 2241 petition is denied;
4. The action is dismissed;
5. Winston's Motion to Expedite (ECF No. 6), and two Motions Pursuant to Rule 21(a) and (b) of FRAP (ECF No. 9-10) are denied;
6. A certificate of appealability is denied;
7. From this point forward, before the Court will review any new action challenging the calculation or execution of his sentence, Winston must do the following:
 - a. Provide a brief summary of why the ends of justice warrant consideration of his submission and attach the summary to the front of any filing; and,
 - b. Certify that the claims he wishes to present are new claims never before raised and disposed of on the merits by any federal court and set forth why

each claim could not have been raised
in one of his previous actions.

Winston's failure to comply with the above directives
will result in summary dismissal of the new action.

Should Winston desire to appeal, a written notice of appeal
must be filed with the Clerk of the Court within sixty (60) days
of the date of entry hereof. Failure to file a notice of appeal
within that period may result in the loss of the right to
appeal.

The Clerk is directed to send the Memorandum Opinion and
Final Order to Winston.

And it is so ORDERED.

Date: *July 31, 2013*
Richmond, Virginia

/s/ RES
Robert E. Payne
Senior United States District Judge